

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
Greenbelt Division**

IN RE: : :

MARTIN CALHOUN : Case No.: 24-17546-LSS
: (Chapter 13)

Debtor : :

**CREDITOR RESURGENT RECEIVABLES, LLC'S ANSWER TO DEBTOR'S
OBJECTION TO PROOF OF CLAIM NO. 2**

COMES NOW, Creditor, Resurgent Receivables, LLC ("Resurgent"), by and through counsel, answers Debtor's Objection to Proof of Claim No. 2 [ECF No. 27], and further states as follows:

ANSWER TO OBJECTION

1. In response to Paragraph 1 of the Objection, Resurgent admits that Debtor filed his Voluntary Petition on September 9, 2024.
2. In response to Paragraph 2 of the Objection, Resurgent admits that it filed Proof of Claim #2. An Amended Proof of Claim was filed on January 21, 2025. *See*, [Claim No. 2-2]. The claim arises from a Credit One Bank credit card debt in the amount of \$2,130.26. *Id.* Attached to the Proof of Claim are account statements which are addressed to Debtor at the address he uses in his Petition. *Id.* at pgs. 5-32.
3. In response to Paragraph 3 of the Objection, Debtor, for the first time, alleges he was a victim of identity theft when filing his Objection. Debtor never asserted any identity theft to Creditor prior to his bankruptcy, for this debt that arose more than three (3) years ago.
4. In response to Paragraph 4 of the Objection, the claim should be allowed.

5. Prior to filing this response, the Creditor contacted Debtor's counsel to request corroborating evidence of the identity theft (i.e. police report or FTC Identity Theft Affidavit/Report). *See attached*, [Exhibit 1]. To date, no response has been provided.

6. The Proof of Claim provides information and documentation that establish the presumptive allowance of the claim. Debtor has not met his burden of proof of overcoming that presumption.

WHEREFORE, your Creditor, Resurgent Receivables, LLC, respectfully requests that this Honorable Court overrule Debtor's Objection, and granting such other and further relief as the Court may deem to be proper.

Respectfully submitted,

THE LAW OFFICES OF RONALD S. CANTER, LLC

/s/ Bradley T. Canter

Bradley T. Canter, Esquire, #18995
2200 Research Boulevard, Suite 560
Rockville, Maryland 20850-4424
301.424.7490 (telephone) | 301.424.7470 (facsimile)
bcanter@roncanterllc.com (e-mail)
Attorney for Creditor

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing was electronically transmitted, this 4th day of February, 2025, to:

Richard J. Hackerman, Esq.
3635 Old Court Road, Suite 208
Baltimore, MD 21208
Counsel for Debtor

Timoth P. Branigan
9891 Broken Land Parkway, Suite 301
Columbia, MD 21046
Chapter 13 Trustee

and mailed, first class, postage pre-paid this 4th day of February, 2025, to:

Martin Calhoun
6401 Floral Park Road
Brandywine, MD 20613
Debtor

/s/ Bradley T. Canter
Bradley T. Canter, Esq.
Attorney for Creditor